

REMARKS

The Office Action dated April 15, 2005 has been reviewed and carefully considered. This amendment is filed simultaneously with an appeal brief. Claims 1, 9, 11-14, 19 and 20 are canceled. Claims 2-4, 6, 10, 15, 17, 21 and 22 are redrafted into independent form, but not otherwise revised. No other claim revisions are made. Reconsideration of the above-identified application, as amended and in view of the following remarks, is respectfully requested.

Although the public Patent Application Information Retrieval (PAIR) system indicates that an Advisory Action to the July 18, 2005 Amendment After Final was submitted yesterday and mailed today, content of the Advisory Action is not displayable in public PAIR. A phone message was left for the Examiner today regarding whether or not the July 18th amendment has been entered, but the applicants have not yet heard from the Examiner. The applicants therefore proceed under the assumption that the July 18th amendment has not been entered.

Claims 1-24 stand rejected under 35 U.S.C. 102(e) as anticipated by U.S. Patent No. 6,758,540 to Adolph et al. ("Adolph").

Claim 2 recites, ". . . a system for identifying a skippable region in the overlaid area . . . the identification system identifies the entire overlaid area as the skippable region if the current video frame comprises a B picture."

Adolph, by contrast, fails to disclose or suggest the conditionality recited in claim 2.

Instead, Adolph either:

a) decodes the part of the MIS video input signal corresponding to its on-screen display (OSD) if motion exists in the video in the vicinity of the OSD (col. 3, line 66 – col. 4, line 7); or

b) may refrain from decoding the MIS input signal corresponding to its on-screen display at times when motion does not exist in the vicinity of the OSD (col. 4, lines 2-4).

This possible refraining from decoding, at times when motion does not exist in the vicinity of the OSD, is apparently what the Office Action regards as identifying ". . . the entire overlaid area as the skippable region"; however, the present claim 2 recites, ". . . the identification system identifies the entire overlaid area as the skippable region if the current video frame comprises a B picture."

It is unclear to the applicants in what sense the Office Action suggests that the temporal type of the content of the current frame bears on whether or not motion exists in the MIS input signal in the vicinity of the OSD. Although the frequency of B-frames in the initial system design may bear on the likelihood of whether "the current video frame comprises a B picture," such knowledge would still seemingly fail to indicate, with even the faintest bit of reliability, whether or not motion exists in the MIS input signal in the vicinity of the OSD. Nor does Adolph disclose or suggest taking into account the frequency of B-frames, as in the initial system design, in deciding whether or not motion exists in anywhere in the video, much less in deciding whether the motion exists in the vicinity of the OSD.

The Office Action cites to lines 48-60 of column 1 in Adolph for disclosure of "if the current video frame comprises a B picture (Office Action, page 3, item 3, third paragraph); however, the applicants fail to see any disclosure relating to a "B picture."

Instead, the passage cited by the Office Action discusses OSD content pre-stored in a read-only memory (ROM), and Adolph slices any particular one of which is comprised of the pre-stored data or of the MIS input video signal data (see col. 2, lines 5-6).

At least for the foregoing reasons regarding lack of conditionality based on the type of the current frame, "B-picture" or otherwise, in Adolph, Adolph fails to identify ". . . the entire overlaid area as the skippable region if the current video frame comprises a B picture."

Since no Advisory Action has been received, the applicants imagine that perhaps the citation was erroneous, and the Office Action intended to cite to lines 48-60 of column 3 in Adolph, rather than column 1, since most of the other citations by the Office Action are to column 3.

This alternative citation by the Office Action relates to processing of the OSD data pre-stored in ROM (col. 3, lines 27(28)-28(29), 33(34), 55, 58). Claim 2 refers to ". . . a current video frame having an overlaid area . . . a skippable region in the overlaid area . . ." Accordingly, it would appear that the Office Action regards the Adolph MIS input video signal, rather than the pre-stored data, to have an "overlaid area" and a "skippable region." Since this alternative citation by the Office Action relates to pre-stored data, it is unclear what relevance it has to ". . . a current video frame having an overlaid area . . . a skippable region in the overlaid area . . ."

Moreover, even if the Office Action envisions the pre-stored data as constituting the "skippable region" of the present claim 2, the specific language of the present claim 2 is still not met. In particular, for slices in the pre-stored data, the "first and last macroblocks of a slice are not skipped macroblocks . . ." (col. 1, lines 56-57). Accordingly, Adolph fails to identify ". . . the entire overlaid area as the skippable region . . ." which language appears explicitly in the present claim 2. Also, conditionality based on the type of the current frame is absent from the Adolph disclosure.

In addition, Adolph does not disclose its OSD as being completely non-encoded (col. 2, lines 1-4), but, even in that case:

- a) conditionality based on the type of the current frame is not disclosed; and
- b) the claim 2 language ". . . a current video frame having an overlaid area . . . a skippable region in the overlaid area . . ." refers to video, not to pre-stored OSD data from ROM.

In particular, Adolph fails to disclose or suggest, ". . . a system for identifying a skippable region in the overlaid area . . . the identification system identifies the entire overlaid area as the skippable region if the current video frame comprises a B picture."

For at least the foregoing reasons, Adolph fails to anticipate the present invention as recited in claim 2.

Moreover, it would not have been obvious to modify Adolph to resemble the present claim 2, at least because Adolph specifically does not skip the first and last macroblocks of a slice in its OSD and does not contemplate regard to the type of the current frame in the performance of any skipping.

Claim 3 recites, “. . . the identification system identifies the entire overlaid area as the skippable region if none of the sequence of video frames acts as reference frames.”

The remarks above, with regard to claim 2, directed to the lack of conditionality in Adolph based on the type of a frame apply here.

In particular, Adolph fails to disclose “. . . the identification system identifies the entire overlaid area as the skippable region if none of the sequence of video frames acts as reference frames.”

The Office Action cites to lines 1-15 of column 3 in Adolph; however, the present applicants are unable to glean any apparent relationship between this passage and anything that the applicants could construe as being relevant to the instant discussion.

For at least the foregoing reason(s), the cited reference fails to anticipate the present invention as recited in claim 3.

Claim 4 recites, “. . . calculates a motion vector range . . .”

Although Adolph, in conforming the OSD text/graphic to the surrounding video, assigns the OSD a null motion vector, it is unclear to the present applicants how Adolph can reasonably be deemed to disclose or suggest that Adolph “. . . calculates a motion vector range . . .”

The Office Action cites to lines 60-65 of column 3 in Adolph. This passage discloses that decoding is skipped for pre-stored OSD slice macroblocks, residing in ROM, for OSD slice content that remains unchanged over time. Motion vectors related to the skipped macroblocks are set to zero.

It is unclear, however, by what reasoning this disclosure in Adolph can reasonably be construed as suggesting that Adolph “. . . calculates a motion vector range. . .”

For at least the foregoing reason(s), the cited reference fails to anticipate the present invention as recited in claim 4.

Claim 6 recites, “. . . a motion vector analysis system that examines motion vectors in a predicted frame that references the current video frame in order to identify prediction macroblocks in the overlaid area of the current video frame.”

Adolph, by contrast, in the case of motion in the MIS input signal in the vicinity of the OSD, may apply motion vectors to decode a frame for display; but, it is unclear to the applicants in what sense it properly can be said that Adolph “examines motion vectors in a predicted frame that references the current video frame in order to identify prediction macroblocks in the overlaid area of the current video frame.”

The Office Action cites to the same passage cited to for claim 4, i.e., lines 60-65 of column 3 in Adolph. However, this passage merely discloses that decoding is skipped for pre-stored OSD slice macroblocks, residing in ROM, for OSD slice content that remains unchanged over time, and that motion vectors related to the skipped macroblocks are set to zero.

It is unclear to the applicants in what sense it properly can be said that Adolph “examines motion vectors in a predicted frame that references the current video frame in order to identify prediction macroblocks in the overlaid area of the current video frame.”

For at least this reason, Adolph fails to anticipate the present invention as recited in claim 6.

Claim 10 recites:

a frame analysis system that determines if a current video frame having an overlaid area acts as a reference for future video frames . . . wherein the frame analysis system determines a plurality of predicted frames that reference the current video frame; wherein the identification system identifies a plurality of skippable regions; and wherein a final skippable region is determined as a cross set of each of the identified skippable regions

The Office Action cites lines 30-35, 54-65 of column 3 in Adolph. The present applicants submit these two passages do not provide disclosure of the above-quoted aspect of claim 10. It is not even close. The first passage relates to the header of an OSD slice and structure of the OSD processor. The second passage OSD slice processing when OSD content remains unchanged over time. As merely an example, it is unclear what, in these passages, corresponds to the "cross set" in claim 10. To the best understanding of the present applicants, nothing disclosed in all of Adolph furthers the position taken by the Office Action.

For at least these reasons, the cited reference fails to anticipate the present invention as recited in claim 10.

Claim 15 recites, ". . . calculating a motion vector range for a predicted frame that references the current video frame."

The Office Action cites again to lines 60-65 of column 3 in Adolph.

However, this passage merely discloses that decoding is skipped for pre-stored OSD slice macroblocks, residing in ROM, for OSD slice content that remains

unchanged over time, and that motion vectors related to the skipped macroblocks are set to zero.

For at least these reasons, the cited reference fails to anticipate the present invention as recited in claim 15.

Claim 17 is a software claim corresponding to system claim 6, and is likewise deemed patentable over the cited reference.

Method claim 21 recites:

calculating a motion vector range for a predicted frame that references the current video frame; and identifying the skippable region as comprising the overlaid area less an area defined by the motion vector range

The Office Action cites, yes, lines 60-65 of column 3 of Adolph.

However, this passage merely discloses that decoding is skipped for pre-stored OSD slice macroblocks, residing in ROM, for OSD slice content that remains unchanged over time, and that motion vectors related to the skipped macroblocks are set to zero.

The Office Action further cites to lines 1-5 of column 4 in Adolph.

However, this passage merely says that Adolph may refrain from decoding the MIS input signal corresponding to its on-screen display at times when motion does not exist in the vicinity of the OSD (col. 4, lines 2-4).

The two passages, alone or in combination, fail to disclose:

calculating a motion vector range for a predicted frame that references the current video frame; and identifying the skippable region as comprising the overlaid area less an area defined by the motion vector range

For at least these reasons, the cited reference fails to anticipate the present invention as recited in claim 21.

Claim 22 recites:

examining motion vectors in a predicted frame that references the current video frame to identify prediction macroblocks in the current video frame; and identifying the skippable region as comprising the overlaid area less the prediction macroblocks identified in the overlaid area

Adolph, by contrast, in the case of motion in the MIS input signal in the vicinity of the OSD, may apply motion vectors to decode a frame for display; but, it is unclear to the applicants in what sense it properly can be said that Adolph “examining motion vectors in a predicted frame that references the current video frame to identify prediction macroblocks in the current video frame.”

The Office Action cites, yet again, to the same passage, i.e., lines 60-65 of column 3 in Adolph. However, this passage merely discloses that decoding is skipped for pre-stored OSD slice macroblocks, residing in ROM, for OSD slice content that remains unchanged over time, and that motion vectors related to the skipped macroblocks are set to zero.

The Office Action further cites to lines 1-6 of column 4 in Adolph.

However, this passage merely says that Adolph may refrain from decoding the MIS input signal corresponding to its on-screen display at times when motion does not exist in the vicinity of the OSD (col. 4, lines 2-4).

For at least these reasons, Adolph fails to anticipate the present invention as recited in claim 22.

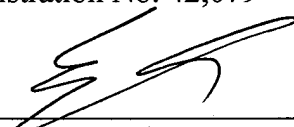
Each of the other rejected claims depends from a respective base claim, and is deemed patentable over the cited reference at least due to its respective dependency.

A check for \$1200.00 (6 x \$200.00) is enclosed in payment of the fee for adding six additional independent claims in excess of three.

For all the foregoing reasons, it is respectfully submitted that all the present claims are patentable in view of the cited references. A Notice of Allowance is respectfully requested.

Respectfully submitted,

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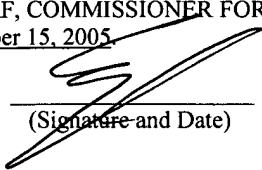
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